

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
October 23, 2005
Tribal Court Room 7500 Odawa Circle
Smudging 9:15 a.m.
9:30 a.m.

Executive Session: no

Call to Order: Meeting was called to order at 9:48 a.m.

Council Present: Legislative Leader Beatrice A. Law, Secretary Melvin L. Kiogima, Treasurer Shirley Oldman, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Rita Shananaquet, Councilor Mary Roberts, Councilor Regina Gasco Bentley, Councilor Fred Harrington, Jr.

Absent: none

Executive Office Present: Tribal Chairman Frank Ettawageshik, Vice-Chairman William Denemy

Legal Staff Present: Allie Greenleaf Maldonado-Assistant General Counsel

Staff Present: Michele LaCount-Legislative Office Manager, Valerie Tweedie, Chief Financial Officer, Albert Colby, Jr.-Tribal Administrator, Heidi Yapple-Grant Writer, Michele Keshick-Diabetes Program Director

Commission, Boards and Committees: none

Guests: Harvey Gibson, Eleanor Barber, Sarah VanDeCar, Sharon Sierzputowski, Marcia Sutton, Marty VanDeCar, Rochelle Ettawageshik

Opening Ceremony: Shirley Oldman

Motion made by Councilor McNamara and supported by Councilor Gasco Bentley to adopt the agenda for October 23, 2005.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to approve the minutes as corrected for October 9, 2005.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor McNamara and supported by Councilor Yellowbank to ratify the Phone Poll for October 20, 2005. The reason for the Phone Poll: This is an emergency Phone Poll to adopt Resolution #102005-01. This Resolution is an amended version of our previously adopted Resolution #100905-07. Based

on, information and recent developments in the bond market, Banc of America Securities is advising us that the bond offering will most likely come in at a rate higher than 8.5%. Therefore they have advised us that we need to revise Resolution #100905-07 "Authorizing the Sale of Notes and Related Actions" to raise the interest rate authorization to a maximum to 9%. Additionally a final paragraph #13, to this Resolution to replace Resolution #100905-07. Valerie Tweedie, Chief Finance Officer and James Bransky, General Counsel, notified us that this needs to be approved and into the Fagre & Benson Minneapolis, MN Law Office by the end of today, October 20, 2005 so we can meet the deadline to print the Offering Memorandum before the Road Show starts on October 23, 2005. The Phone Poll passed.

Vote: 7 Yes, 0 No, 2 Abstained (Treasurer Oldman, Councilor Roberts), 0 Absent
Motion Carried

10:21 a.m. Recess called

10:30 a.m. Meeting resumed

Motion made by Treasurer Oldman and supported by Councilor Shananaquet to accept the Elder's Report as presented by Eleanor Barber and Harvey Gibson, Sarah VanDeCar, Marie Boda, for October 23, 2005.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor McNamara and supported by Councilor Yellowbank to accept the verbal and written report from Legal Department as presented by Allie Greenleaf Maldonado for October 23, 2005.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to adopt Resolution #102305-01 Specific Designation of Assets When Waiving Sovereign Immunity.

Roll Call Vote: Councilor McNamara-yes, Councilor Shananaquet-no, Councilor Yellowbank-yes, Councilor Gasco Bentley-yes, Legislative Leader Law-yes, Councilor Harrington-yes, Secretary Kiogima-yes, Councilor Roberts-abstained, Treasurer Oldman-abstained

Motion made by Councilor Yellowbank and supported by Secretary Kiogima to adopt Resolution #102305-02 Authorization to Sign GMP Contract with Financing Contingency.

Roll Call Vote: Councilor McNamara-yes, Councilor Shananaquet-no, Councilor Yellowbank-yes, Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor Roberts-abstained, Treasurer Oldman-abstained, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara for Tribal Council Councilor McNamara, Councilor Yellowbank, Legislative

Leader Law, and Councilor Gasco Bentley to attend the Midwest Alliance of Sovereign Tribes meeting in November 2005 in Traverse City.

Vote: 7 Yes, 2 No (Secretary Kiogima, Councilor Shananaquet), 0 Abstained, 0 Absent

Motion Carried

Motion made by Secretary Kiogima and supported by Councilor Shananaquet to establish the work hours of the Tribal Council work sessions and Tribal Council meetings to commence no later than 9:00 a.m., and adjourn no later than 5:00 p.m. unless scheduled matters have been addressed. The time frame would include 1 ½ hours for lunch.

Vote: 5 Yes, 4 No (Councilor Harrington, Councilor Gasco Bentley, Legislative Leader Law, Councilor McNamara), 0 Abstained, 0 Absent

Motion Carried

11:45 a.m. Public Comment: Michele LaCount, Marie Boda, Eleanor Barber

11:48 a.m. Public Comment Closed

Motion made by Councilor Gasco Bentley and supported by Councilor Shananaquet to adopt the 2006 Tribal Council work session and meeting scheduled.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Shananaquet and supported by Councilor Gasco Bentley to rescind the previous motion made by Councilor Gasco Bentley and supported by Councilor Shananaquet to adopt the 2006 Tribal Council work session and meeting schedule and to adopt the 2006 Tribal Council and work session schedule with changes.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

12:06 p.m. Lunch recess called until 1:30 p.m.

1:31 p.m. Meeting reconvened

Motion made by Councilor Harrington and supported by Councilor Roberts to accept the Tribal Executive written and verbal report for October 23, 2005.

Vote: 8 Yes, 1 No (Councilor Shananaquet), 0 Abstained, 0 Absent

Motion Carried

3:05 p.m. recess called

3:16 p.m. meeting resumed

Motion made by Councilor Harrington and supported by Councilor Shananaquet support withdrawn and then supported by Councilor Roberts to eliminate authorization for stipends from the Tribal Council Stipend Policy and approve budget modifications transferring the balance of the Tribal Council Stipend line

item to the Elders Program for energy assistance provided by the Utility and Food Reimbursement line item for 2005 and 2006.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

4:01 p.m. Public Comment opened: no public comment

4:01 p.m. Public Comment closed

Motion made by Treasurer Oldman and supported by Councilor Shananaquet to approve Resolution #102305-03 Approval of Middle Village Park Management Committee Budget for FY 2006-2007.

Roll Call Vote: Councilor Yellowbank-yes, Councilor McNamara-yes, Councilor Harrington-yes, Councilor Shananaquet-absent, Councilor Gasco Bentley-yes, Councilor Roberts-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor McNamara and supported by Councilor Roberts to adopt Resolution #102305-04 Funding from Michigan Inter-Tribal Council, Little Traverse Bay Bands of Odawa Indians "Healthy Anishnabe Women Project"

Roll Call Vote: Councilor Harrington-yes, Councilor Gasco Bentley-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Councilor McNamara-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Yellowbank and supported by Secretary Kiogima to adopt Resolution #102305-05 Amendments to the Terms of Obligation held by National City Bank of the Midwest.

Roll Call Vote: Councilor McNamara-yes, Councilor Shananaquet-no, Councilor Yellowbank-yes, Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor Roberts-abstained, Treasurer Oldman-abstained, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor McNamara and supported by Councilor Shananaquet to accept the Legislative Leader and Treasurer's report as presented and Councilor Harrington's verbal report for October 23, 2005.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Gasco Bentley and supported by Councilor Shananaquet to add the Commissions, Board and Committees statute to the Legislative Agenda, sponsored by Regina Gasco Bentley.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

5:36 pm Motion made by Councilor Shananaquet and supported by Councilor Gasco Bentley to adjourn.
Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent
Motion Carried

These Minutes have been read and approved as written:
Approved:

Melvin L. Kiogima, Tribal Secretary

Date